

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 23-3211-MWF (MRWx)

Date: January 26, 2024

Title: Esmeralda Garcia De Martinez, et al. v. CRST Expedited, Inc., et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiffs:
None Present

Attorneys Present for Defendants:
None Present

Proceedings (In Chambers): ORDER TO SHOW CAUSE

On January 10, 2024, the Court granted Defendant CRST Expedited, Inc.’s Ex Parte Application to Continue Pretrial and Trial Dates (the “Prior Order”). (Docket No. 23). The Prior Order set the deadline to exchange initial disclosures to January 24, 2024. (*Id.* at 2). The Prior Order also instructed Defendant to file a notice of non-compliance if Plaintiffs failed to provide their initial disclosures by the deadline. (*Id.*).

On January 25, 2024, Defendant filed a Notice of Non-Compliance, informing the Court that Plaintiffs failed to provide their initial disclosures as required under the Prior Order. (Docket No. 24).

As such, Plaintiff is **ORDERED TO SHOW CAUSE** (“OSC”), in writing, by no later than **February 7, 2024**, why this action should not be dismissed for failure to state a claim for relief under Federal Rule 12(b)(6) and/or failure to prosecute under Federal Rule 41(b). *See Reed v. Lieurance*, 863 F.3d 1196, 1207 (9th Cir. 2017) (“A trial court may dismiss a claim *sua sponte* under Rule 12(b)(6)[.]” (citations omitted)); *see also Link v. Wabash R. Co.*, 370 U.S. 626, 633 (1962) (“[A] District Court may dismiss a complaint for failure to prosecute[.]”).

Plaintiff is warned that failure to respond to the OSC by **February 7, 2024**, will result in dismissal of this action. No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15.

IT IS SO ORDERED.